

Docket No.: 109536.211US2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hayato MIYACHI et al.

Serial No.: 10/784,145

Filed: February 23, 2004

:
:
:
:
:
:
:

APPLICATIONS BRANCH

For: METHODS OF USING ZONISAMIDE AS AN ADJUNCTIVE THERAPY FOR
PARTIAL SEIZURES

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 17, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Copy of the Notice to File Missing Parts of Nonprovisional Application
3. Petition for Extension of Time

Please charge Deposit Account No. 08-0219 in the amount of \$3,230.00 (\$790.00 basic filing fee, \$130.00 late filing fee, \$780.00 additional claim fees and \$1,530.00 extension of time fee). To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-0219 and please credit any excess fees to such deposit account.

[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0219. A duplicate copy is enclosed.

[X] Any additional filing fees required under 37 CFR 1.16.

[X] The Commissioner is hereby authorized to charge payment of following fees during the pendency of this application or credit any overpayment to Deposit Account No. 08-0219. A duplicate copy of this sheet is enclosed.

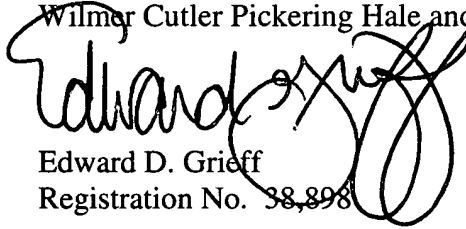
[X] Any patent application processing fees under 37 CFR 1.17.

[X] Any filing fees under 37 CFR 1.16 for presentation of extra claims.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

Wilmer Cutler Pickering Hale and Dorr LLP



Edward D. Grieff

Registration No. 38,898

The Willard Office Building
1455 Pennsylvania Avenue, NW
Washington, DC 20004
202 942 8400 EDG/srg
Date: 16 NOV 2004
202 942 8484 facsimile



UNITED STATES PATENT AND TRADEMARK OFFICE

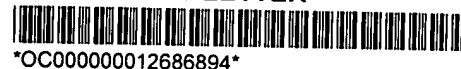
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/784,145	02/23/2004	Hayato Miyachi	08576.0063-00000

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315



CONFIRMATION NO. 5372
FORMALITIES LETTER



OC000000012686894

Date Mailed: 05/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/17/2004 SSITHIB1 00000100 080219 10784145

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA
03 FC:1201 528.00 DA
04 FC:1202 252.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$768 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1668 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

• • • Total additional claim fee(s) for this application is **\$768**

- **\$516** for **6** independent claims over 3.
- **\$252** for **14** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in dark ink, appearing to read "M. M. al", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE